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Rosa Thomas	703-308-4556	703-306-4091

FROM: Aurelia A. Caparas

DATE: July 31, 2003

Number of pages with cover page:	30
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**Comments:**

ATTORNEY DOCKET: 342312003700

SERIAL NO.: 09/868,347

FILING DATE: September 24, 2001

INVENTOR(S): Michael J. RODRIGUEZ and James A. JAMISON

TITLE: CYCLIC PEPTIDE ANTIFUNGAL AGENTS

Papers enclosed herewith:

1. Copy of Petition to Withdraw Holding of Abandonment Under 37 CFR § 1.181(a), and copy of Response and associated papers mailed November 22, 2002

Jul 12 46

Dear Ms. Thomas,

Please let us know the status of the above-referenced application, my direct line is 650-813-5607.  
Thank you for all your help.

Aurelia

PA-810827



EV 093217395 US

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MAILING DATE: April 3, 2003

SERIAL NO.: 09/868,347

ATTY/Secy: KAB10/mxb6

FILING DATE: September 24, 2001

INVENTOR(S): Michael J. RODRIGUEZ and James A. JAMISON

TITLE: CYCLIC PEPTIDE ANTIFUNGAL AGENTS

Papers enclosed herewith:

1. Transmittal Form (1 Page)
2. Petition to Withdraw Holding of Abandonment Under 37 CFR § 1.181(a) (2 Pages)
3. Copy of Response and associated papers mailed November 22, 2002 (24 Pages)

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ATTORNEY DOCKET: 342312003700

MAILING DATE: April 3, 2003

SERIAL NO.: 09/868,347

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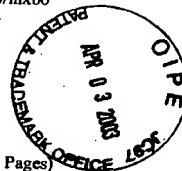
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

27

Application Number

09/868,347

Filing Date

September 24, 2001

First Named Inventor

Michael J. RODRIGUEZ

Group Art Unit

1623

Examiner Name

E. Peselev

Attorney Docket No.

342312003700

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Assignment Papers  
(for an Application)☐ After Allowance Communication to  
Group☐ Fee Attached☐ Drawing(s)☐ Appeal Communication to Board of  
Appeals and Interferences☐ Amendment / Reply☐ Licensing-related Papers☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ After Final☒ Petition (2 Pages)☐ Proprietary Information☐ Affidavits/declarations☐ Petition to Convert to a  
Provisional Application☐ Status Letter☐ Extension of Time Request☐ Power of Attorney, Revocation  
Change of Correspondence Address☒ Other Enclosure(s) (please identify  
below):☐ Express Abandonment Request☐ Terminal Disclaimer

1. Copy of Response and associated  
papers mailed November 22, 2002  
(24 Pages)
2. Return Postcard

☐ Information Disclosure Statement☐ Request for Refund☐ Certified Copy of Priority Document(s)☐ CD, Number of CD(s) \_\_\_\_\_☐ Response to Missing Parts/  
Incomplete Application

Remarks

☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

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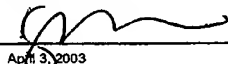
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or

Individual Name

Kimberly A. Bolin (Registration No. 44,546)

Signature



Date

April 3, 2003

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ATTORNEY DOCKET: 342312003700

MAILING DATE: November 22, 2002

SERIAL NO.: 09/868,347

ATTY/Secy: MJJ/mxb6

FILING DATE: September 24, 2001

INVENTOR(S): Michael J. RODRIGUEZ and James A. JAMISON

TITLE: CYCLIC PEPTIDE ANTIFUNGAL AGENTS

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Papers enclosed herewith:

1. Transmittal form (1 Page)
2. Fee Transmittal Form + duplicate for Fee Processing (2 Pages)
3. Amendment (18 Pages)
4. Petition for Extension of Time (1 Page)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/868,347
Filing Date	September 24, 2001
First Named Inventor	Michael J. RODRIGUEZ
Group Art Unit	1623
Examiner Name	E. Peseev
Attorney Docket No.	342312003700

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Total Number Of Pages In This Submission

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**ENCLOSURES (check all that apply)**

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| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                |
| <input checked="" type="checkbox"/> Amendment / Reply (18 Pages)                                  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)         |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declarations  | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request (1 Page)                            | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return postcard |
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| <input type="checkbox"/> Certified Copy of Priority Document(s)                                   | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application                        | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53                      |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual Name	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018
Signature	Madeline I. Johnston (Registration No. 36,174)
Date	November 22, 2002

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pa-746712

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# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 164.00

## Complete If Known

Application Number 09/868,347

Filing Date September 24, 2001

First Named Inventor Michael J. BRODRICK

Examiner Name E. Peslev

Group Art Unit 1623

Attorney Docket No. 342312003700

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison &amp; Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

## 2. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims	26	- 23** =	3	x	18	=	\$ 54
Independent Claims	3	- 3** =	0	x	84	=	\$ 0

Multiple Dependent 290 = \$ 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissues independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 54

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	450	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
145	740	245	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 110

## SUBMITTED BY

Name (Print/Type)

Madeline I. Johnston

Registration No. (Attorney/Agent)

36,174

## Complete (if applicable)

Telephone

(650) 813-5840

Signature

Date

November 22, 2002

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